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October 4, 1993

Maritime Administration  
Department of Transportation  
400 7th Street, S.W.  
Washington, D.C. 20590

Attention: Linda C. Somerville, Vessel Transfer & Disposal Officer, Division of  
Operations Support

Subject: Invitation for Bid # EXC-8629, dated Sept 1, 1993

Dear Ms. Somerville:

The following are bidder's questions submitted in connection with the above referenced Invitation for Bid.

Various provisions in the sample vessel purchase contract state that the buyer is responsible for complying with all laws and regulations which might apply to the scrapping of vessels. We are interested in determining what steps are necessary to comply with hazardous waste law when vessels are purchased for scrapping in an approved foreign country. Our questions are as follows:

- 1) RCRA, 42 USC Sec. 6938 prohibits exports of hazardous wastes unless the U.S. government has an agreement with the receiving foreign country regarding the waste.
  - a) Are there such agreements concerning the wastes on Victory ships?
  - b) With what countries have such agreements been made?
  - c) How can bidders obtain copies of such agreements?
  - d) Has MARAD obtained an exemption from Sec. 6938?
  - e) Will MARAD obtain an export agreement with a receiving foreign country?
  - f) Will MARAD require that the buyer comply with Sec. 6938? That is, will MARAD prohibit export in the absence of required foreign agreements?

- 2) Since the vessel's scrap includes quantities of hazardous wastes, export of vessels required to be scrapped would seem to be an export of hazardous waste.
- a) Is that correct?
- b) Has MARAD secured a legal or EPA ruling on the issue?
- 3) What foreign countries are "approved" to conduct scrapping of MARAD vessels?
- 4) How are countries "approved" for export? What is the process which is followed?

Please contact me at (310) 833-3580 if any of my questions require clarification. I would appreciate it if you could fax your response to me at least 5 business days prior to the bidder's deadline of October 15, 1993. Thank you for your attention to this matter.

Very truly yours,  
SOUTHWEST RECYCLING, INC.

  
Daniel P. Cotter  
Controller